

1085-4 75 0355 08 06 75 4 190

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JUDGE ELLISON

8509-

8510

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75 0355-8

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## PLAINTIFFS

## DEFENDANTS

GREAT AMERICAN INSURANCE COMPANY,  
a corporationHIGHLANDS INSURANCE  
CO. (75-C-364)*Judge Phillips*

NICK WOLFE, d/b/a WOLFE CONSTRUCTION COMPANY; NICK WOLFE, individually; PATRICIA WOLFE; UNITED STATES OF AMERICA COLONEL JOHN G. DRISKILL, District Engineer for the United States Corp of Engineers; LT. COL. WILLIS C. THOMSEN, Deputy District Engineer for the United States Corp of Engineers; and OAK FOREST BANK, a Texas corporation

UNITED STATES OF AMERICA (Internal Revenue Service) vs

NICK WOLFE

Complaint in Intervention filed 5-27-80 in 75-C-364

## CAUSE

Breach of Contract

## ATTORNEYS

XXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXX  
XXXXXXXXXXXXXXXXXXXX  
(XXXXXXXXXXXXXXXXXXXX)James L. Finegan  
Suite 626  
Mayo Bldg.  
Tulsa, OK 74103 587-3787  
Edwin F. Garrison, Esq.  
LOONEY, NICHOLS, JOHNSON & HAYES  
528 N.W. 12th  
Oklahoma City, OK 73103Mary C. Vance  
Rick Disney (Prop. Intervenor U.S.A.)  
Atty, Tax Division  
Dept of Justice  
Room 5B31, 1100 Commerce Street  
Dallas, TX 75242  
(214) 767-0293Rosenstein, Fist & Ringold  
James W. Tilly (Nick Wolfe, Wolfe  
525 S. Main, Ste 300 Constr. Co. &  
Tulsa, OK. 74103 Patricia Wolfe)  
585-9211Robert P. Santee (Driskill & Thomsen)  
Asst. U. S. Atty.

Joel W. Cook

Roland C. Kemp  
1415 Fannin St.  
Houston, Tex. 77002  
(Oak Forest Bank) 713 658-8141 9-7-80

Rooney McInerney (Oak Forest Bank)

Vaden Bales

HOUSTON and KLEIN, Inc.  
900 Sooner Federal Building  
Tulsa, OK 74103 583-2131James D. Fellers (Nick & Patricia  
FELLERS, SNIDER, Wolfe & Wolfe  
BLANKENSHIP, Construction Co)  
BAILEY & TIPPENS  
2400 First National Center  
Oklahoma City, OK 73102  
405-232-0621  
co-counsel  
Raymond C. Kerr  
Hodges & Kerr  
1508 First City Natl. Bldg.  
Houston, TX 77002CHECK  
HERE  
IF CASE WAS  
FILED IN  
FORMA  
PAUPERIS1400 Boston Bldg.  
1412 South Boston, Ste. 715  
Tulsa, OK 74119  
918-583-8868

FILING FEES PAID

RECEIPT NUMBER

MAIL  
CPY  
TO  
NICK WOLFE  
1408 WOODS  
HOUSTON, TX  
77057

STATISTICAL CARDS

CARD  
JS-5  
JS-6  
DATE MAILED  
9-1-75 1-1-80  
5-1-85 6-1-90

DATE	NR.	PROCEEDINGS
8-6-75	1.	Complaint, filed. Summons, issued. lm
8-12-75		Summons, ret. & filed: served U. S. Atty, Tulsa, Ok. 8-7-75, and mailed 2 cpies to Atty. General, Wash. D.C. by certified mail, 8-7-75; served Lt. Col. Willis C. Thomsen (Tomsen), 8-7-75; served Oak Forest Bank, Houston, Tx. 8-8-75; <u>unserved</u> as to Nick Wolfe, Patricia Wolfe, Nick Wolfe d/b/a Wolfe Construction Co. and Colonel John G. Driskill. (USM \$19.04)g
<del>8-14-75</del>	<del>2.</del>	<del>Application of defts. for an ext. of time within which to plead or answer, filed. lm</del>
<del>8-14-75</del>	<del>3.</del>	<del>Order extending time within which the defts may plead or answer, filed. (JCS-Clk) cps mld. lm</del>
10-6-75	2.	Motion of U.S.A., et al., to Dismiss, filed. v
10-6-75	3.	Brief in Support, filed. v
10-7-75	MO:	It is ordered by the Court that Pltf. is granted ten days from this date to respond to the Mot. to Dismiss filed by U.S.A., et al. (AEB-J)v
11-14	MO	Case referred to Magistrate Bradford re all pending mots. for F&R. (AEB-J)k
12-17	MO:	Case set for hrg. on Defts Driskill and Thomsen's mo to dismiss before Mag. Bradford on 1-15-76 at 2:30 p.m.(MLB-Mag)ph
12-31	4.	Answer brief of pltf. Great American Ins. Co., to motion to dismiss by USA, Col. John D. Driskill and Lt. Col. Willis C. Thomsen, filed.ph
1976		
1-15	MO:	Case called for hrg. on motions before Mag. on Defts' Driskill and Thomsen's motion to dismiss. Parties represented. Mag. recommends mo. be denied. Pltf. counsel to prepare F&R within 5 days.(MLB-Mag)ph
1-21	5.	Amendment to Complaint, filed.jj
1-22	6	Findings and Recommendations of Mag., filed.t cps mld.
1-23	7.	Deft. Oak Forest Bank's Special Appearance, Presenting Mtns. to Dismiss for Lack of Jurisdiction, filed.jj
1-23	8.	Opening Brief in Support of Deft. Oak Forest Bank's Special Appearance presenting Mtns. to Dismiss for Lack of Jurisdiction, filed.jj
1-23	MO:	It is ordered by the Court that Pltf. file a resp. brief within 10 days to Deft. Oak Forest Bank's Special Appearance presenting Mtns. to Dismiss for Lack of Juris.(AEB-J)jj
1-26		Alias Summons to Oak Forest Bank issued by cert. mail. g
1-29	9	Ans. Brief of Pltf, Great American Ins. Co., to Mot. to Dismiss by Oak Forest Bank, filed.t
2-3-76	10	Ordered that Mot. to Dismiss filed by Col. Smith, Col. Thompson & U. S. A be overruled.(AEB-J)t cps. mld.
2-10	11.	Pltf's appl. for order nunc pro tunc, filed. ph
2-11		Order (part of appl), filed, that pltf. prepare Corrected F&R and Corrected Order. (AEB-J)k
2-11	12	Corrected F&R of Magistrate, filed,k
2-12	13	Corrected Order overruling mot. to dismiss filed by Col. John G. Driskill (rather than Col. Anthony A. Smith), Lt. Col. Thomsen & U.S.A., defendants. (AEB-J)k cps mld.
2-26	14	Answer of defts. U.S.A., Driskill & Thomsen, filed.k

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <b>75-C-355-P</b>
GREAT AMERICAN		NICK WOLFE, ET AL.	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
		<p><b><u>DEFENDANT</u></b></p> <p>John M. Imel Frank V. Cooper MOYERS, MARTIN, SANTEE, IMEL &amp; TETRICK 320 S. Boston, Ste. 920 Tulsa, OK 74103 582-5281 (Nick Wolfe d/b/a Wolfe Construction Co., Nick Wolfe, indiv, &amp; Patricia Wolfe, indiv.)</p>	



## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. Sheet #2 PAGE ____ OF ____ PAGES
GREAT AMERICAN INS. COMPANY		NICK WOLFE, et al	
DATE	NR.	PROCEEDINGS	
<u>1976</u>			
3-3	15	Appl. of pltf. for leave to file 2nd amend. to complaint, filed. g	
3-3	16	Mot. of pltf. for consolidated with 75-C-364, filed. g	
3-3	17	Brief in support of mot. for consolidation, filed. g	
3-4	18	Order, filed, granting pltf. leave to file second amendment to complaint. (AEB-J)g cp mld	
3-4	19	Second amendment to complaint, filed. g	
3-4	20	Order, filed, consolidating Case No. 75-C-364, Highlands Ins. Co. v. Nick Wolfe, et al., with this action. (AEB-J)g cp mld.	
3-30	21.	Ans. to second amendment to complaint of defts. USA; Col. Anthony Smith, Dist. Engineer for US Corps of Engineers; Lt. Col. Willis C. Thomsen, Deputy Dist. Engineer for US Corps. of Engineers; and Col. John G. Driskill, filed. ph	
4-16	MO	Case set for hrg. before Mag. on deft. Oak Forest Bank's mot. to dismiss for lack of jurisdiction on 5-13-76 at 10:30 a.m. (MLB-Mag)k ntc by KT	
5-13	MO	Hrg. before Mag. set for 10:30 a.m. passed to 5-20-76 at 10:30 a.m. (MLB-Mag)k ntc by KT	
5-20	MO	Upon request of the parties, Mag. hrg. set for 10:30 a.m. passed. To be reset. (MLB-Mag)k ntf by KT	
9-29	22.	Mot. of Deft. Oak Forest Bank to Abate, fld. v	
9-29	23.	Order, fld., abating proceedings. (AEB-J)v -cps. mld.	
12-13	24.	Order, filed, that the parties file simultaneous briefs with 20 days to the Mot. to Dismiss in 75-C-355-B and within 20 days in 75-C-364-B. In 75-C-364-B it is ordered that the brief be submitted as a supplemental brief to the Objections to the Report of the Magistrate.s (AEB-J) cps. mld.	
<u>1977</u>			
1-4-77	25.	Defts' memorandum brief, filed.s	
6-13	MO	Case set for disposition on 7-7-77 at 10:00 a.m. for failure of pltf. to file brief directed to Deft. Oak Forest Bank's mot. to dismiss and as a supplemental brief to the objections to the report of the Magistrate in 75-C-364. (AEB-J)k ntc by cert ml	
7-6	MO	Case stricken from disposition docket of 7-7-77 at 10:00 a.m. (AEB-J)k ntc by MC	
7-6	MO	Pursuant to oral advice of counsel that this case should be abated until further order of the Court, IT IS SO ORDERED. (AEB-J)k ntc by MC	
<u>1978</u>			
1-13	MO	Case set for report to the Court on status of case on 2-1-78 at 10:00 a.m. (AEB-J)k cps by cert ml	
1-23	26	Pltf. interrog. to Deft. Col. John G. Driskill, Lt. Col. Willis C. Thomsen, Col. Anthony A. Smith, fld. ho	
2-1		Case called for status report before Mag. Rizley, upon order of the Court. Govt. rep. & makes report. Mag. recommends parties make status report in 90 days. (RSR-Mag) b	
2-24	27	Deft. Anthony Smith's answers to pltf's interrogatories, filed.k	

**JUDGE ELLISON**

PLAINTIFF

DEFENDANT

DOCKET NO. \_\_\_\_\_

PAGE \_\_\_\_ OF \_\_\_\_ PAGES

DATE	NR.	PROCEEDINGS
1978		
3-1		Alias Summons issued to Nick Wolfe d/b/a Wolfe Construction Co., Nick Wolfe, & Patricia Wolfe. ho
3-17	28	Ret. of USM service of Alias summons & compl. fld. Served Nick Wolfe on 3-6-78 in DeLeon, Tx.; Nick Wolfe a/b/a Wolfe Construction Co. on 3-6-78 in DeLeon, TX; Patricia Wolfe on 3-6-78 in DeLeon TX. (USM \$34.32)hc
5-5	29	Appl. of defts. Nick Wolfe, d/b/a Wolfe Construction Co., Nick Wolfe individually and Patricia Wolfe, for ext. until 6-5-78 to plead or answer complaint, filed.k O to J
5-5	MO	Defts. Nick & Patricia Wolfe and Wolfe Construction Co. are granted until 6-5-78 to plead or answer. (AEB-J)k cps of original compl. mld to movant
6-2	30	Defts. Nick & Patricia Wolfe, d/b/a Wolfe Construction Co. Mot. for ext. of time to ans. fld. ho O to J.
6-7	31	Order, filed, granting defts. Nick Wolfe, d/b/a Wolfe Construction Co., and Nick & Patricia Wolfe until 12-5-78 to answer. (AEB-J)k cps mld to movant
12/5	32.	Motion of Wolfes for ext. of time for answer to the complaints for a period of 6 mos. from 12/5/78, filed. No objs. from Mr. Garrison, Mr. Bales and Mr. Snoke. v (o)
12/8	33.	Order, filed, that the ans. date of defts. Nick Wolfe, d/b/a Wolfe Construction Co., Nick Wolfe, individually, and Patricia Wolfe, to the compl., is extended to 6/5/79. (AEB-J)v -cpy to movant (Deft)
3-16-79	MO:	Case transferred to Judge Fred Daugherty (JCS-Clk)
5-1	34	Defts. Wolfe, et al mot. for ext. of time for ans.(7 mos) fld. ho Judge phoned & is sending over an order granting.
5-4	35	Order, filed, granting defts. Nick Wolfe, et al, until 12-5-79 to answer. (FD-J)k cps mld to movant
11-9	MO:	CASE TRANSFERRED TO JUDGE JAMES O. ELLISON. (JCS-CLK)b
1980		
2-4-80	36	MOTION of U.S.A. (I.R.S.) for leave to intervene.ra
2-4-80	37	BRIEF in support of U.S.A./I.R.S. mot/intervene.ra (O & compl. in intervention in file)
2-4-80	MO:	ORDER that parties file a response on or before 2-17-80 to U.S.A.'s mot/intervene.(JOE-J)ra c/m
2-11	38	RESPONSE of pltf's. to mot. of USA for leave to intervene - no obj.k
2-12	39	MOTION of defts. Nick Wolfe, individually & d/b/a Wolfe Construction Co. & Patricia Wolfe, for ext. until 8-5-80 to ans.k (O)
2-12	MO:	CASE SET FOR DISPOSITION for failure of the Wolfes to answer on 3-7-80 at 1:30 p.m. (JOE-J)ra ntc mld

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. _____ Sheet #3 PAGE ____ OF ____ PAGES
GREAT AMERICAN INS. COMPANY		NICK WOLFE, et al	
DATE 1980	NR.	PROCEEDINGS	
2-13	40	ORDER granting defts. Wolfe until 8-5-80 to answer. (JOE-J)g	
2-14	41	RESPONSE of deft USA, Smith, and Thomsen to mot/intervene (no obj.)ra	
2-20	MO	<u>CASE STRICKEN FROM DISPOSITION DOCKET SET ON 3-7-80 at 1:30 p.m.</u> (JOE-J)k cps mld	
2-20	42	RESPONSE of deft. Oak Forest Bank to mot. of IRS to intervene - no obj.k	
5-19	43	ORDER that U.S.A./I.R.S. is granted leave to intervene in this proceeding. (JOE-J)ra c/m	
5-27	44	COMPLAINT IN INTERVENTION in 75-C-364 by USA/IRS to reduce tax assessments to judg. & to foreclose tax lien upon monies held by Col. Smith belonging to taxpayer-deft. Nick Wolfe.k	
7-28	45	MOTION of defts. Nick Wolfe d/b/a Wolfe Construction Co., Nick Wolfe, individually & Patricia Wolfe for 6 month ext. to answer complaints.k (O)	
7-30	46	ORDER granting defts. Nick Wolfe d/b/a Wolfe Construction Co., Nick Wolfe individually & Patricia Wolfe until 2-5-81 to answer complaints herein. (JOE-J)k cps/mvt	
11-21	MO	<u>CASE SET for status report on 12-1-80 at 1:30 p.m.</u> (JOE-J)k ntc/mla	
11-28	MO:	CASE STRICKEN from Disposition on 12-1-80. Deft. Wolfe to file STATUS REPORT by 12-12-80. (JOE-J)b phoned	
12-15	--	LETTER dated 12-10-80 from Raymond C. Kerr to Judge Ellison filed as status report.k	
1981			
2-2	47	MOTION of Wolfes (Deft.) for extension of time for ans. pt (O)	
2-2	48	ORDER, granting defts Wolfes until August 5, 1981 to answer. (JOE-J)nd cps/mvt.	
8-5	49	MOTION of defts, Wolfes for ext of time for answer. (OtoJ) dm	
8-10	50	ORDER granting defts, Wolfes & Wolfe Construction Co., until 2-5-82 to ans. complts. (JOE-J) jc (c/defts)	
1982			
2-1	51	MOTION of defts Wolfes for ext. of time for ans. (O to J)hm	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 75-C-355-E
GREAT AMERICAN INSURANCE CO.		NICK WOLFE, et al	PAGE 6 OF 3 PAGES
DATE	NR.	PROCEEDINGS	
2-3-82	52	ORDER that the answer date of defts, Nick Wolfe d/b/a Wolfe Construction Co., Nick Wolfe individually and Patricia Wolfe to the complaints herein be extended to 8-5-82. (JOE-J) dm c/m mov	
8-5	53	MOTION of all Wolfes for exten of time to ans.(0 to J)a	
8-6	54	ORDER granting all Wolfes until 2/5/83 to ans(JOE-J)a cps/mvt	
2-2-83	55	MOTION of defts, Wolfes for exten of time to ans.(0 to J)a	
2-9	56	ORDER extending answer date of defts Nick Wolfe d/b/a Wolfe Construction Co, Nick Wolfe individually & Patricia Wolfe, to 8/5/83. (JOE-J) c/m defts bv	
8-5-83	57	MOTION of Wolfes for ext of time for answer. (OtoJ) dm	
8-9	58	ORDER that the answer date of defts, Nick Wolfe d/b/a Wolfe Construction Co, Nick Wolfe, individually, and Patricia Wolfe is ext to 2-5-84. (JOE-J) dm c/m mov	
11-8	59	STATUS REPORT (LTR) of Deft. co. Kerr. Adminis. Judge contemplates rendering opinion w/respect to all appeals before end of 1983. b	
1984			
2-6	60	MOTION of Wolfes for ext. of time for answer. (O to J) rc	
4-27	--	Letter rec. from Edwin Garrison stateing case still in abeyance & decision is under advisement w/US Army Board of appeals.cs	
5-3	61	ORDER that the answer date of defts, Nick Wolfe d/b/a Wolfe Construction Co., Nick Wolfe individually and Patricia Wolfe, to the cplts herein be and it is herby ext to 8-5-84. (JOE-J) dm c/m	
8-3	62	MOTION of defts Wolfe for ext of time to ans. (O TO J) tj	
8-13	63	ORDER that defts mo/ext of time is denied. (JOE-J) c/m movant tj <b>FILE #2</b>	
10-10	--	STATUS REPORT of Wolfe Construction Co. tj	
10-17	64	ORDER that case is set for status conference on 11-7-84 @ 9:15 a.m. in order to resolve any remaining issues & move this case to final disposition.(JOE-J) c/m t	
11-1	65	MOTION of defts Wolfes for delay of status conf. (O TO J) tj	
11-7	66	ORDER that SC set for 11-7-84 @ 9:15 a.m. is stricken & reset for 3-6-85 @ 1:00 p.m. Status reports are to be filed as previously ordered.(JOE-J) c/m t	

4/23/89 Called re Status Report. 10/2 Patricia Wolfe et al. 11/5 called phys construction Conf. 11-7-84  
11/27/89 Called re Status Report. 9/12/89 Called re Status Report. 11/7/89



CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 75-C-355-E 75-C-364-E
GREAT AMERICAN INS. CO.		NICK WOLFE ET AL	PAGE 7 OF 4 PAGES
DATE	NR.	PROCEEDINGS	
1984 11-16	67	ENTRY of appearance of Mary C. Vance as atty of record for USA. t	
1985 2-26	68	ENTRY OF APPEARANCE of James W. Tilly of Rosenstein, Fist & Ringold on behalf of Nick & Patricia Wolfe. tj	
3-6	MIN:	STATUS CONF. Parties make report to Court. Claim has to be submitted to contracting officer by 6-29-85 for determination of payment. Court will enter Admin. Closing Order. Govt. to prepare & circulate order for signatures & submit to Court.(JOE-J)b	
4-25	69	ADMINISTRATIVE closing order ENTERED w/certain conditions; see pldg for details.(JOE-J) c/m t (EOD 4-26-85)& order allowing James D. Fellers to w/draw as counsel for Nick Wolfe d/b/a Wolfe Con. Co., Nick Wolfe, individually, and Patricia Wolfe, Mr. James W. Tilly, and Rosenstein, Fist & Ringold being substituted as counsel therefor. t	
1986 1-24	70	APPLICATION of deft Nick Wolfe d/b/a Wolfe Con Co. & Patricia Wolfe to schedule SC.(O to DM) t Jan 2-7	
2-11	71	ORDER that case be set for SC on 3-11-86 @ 9:00 for the purpose of determining whether or not the administrative closing order previously entered should be w/drawn so that deft Wolfe can file an ans & c/claim, & to permit further proceedings in connection w/ that c/claim to be conducted while the administrative appeal is being prosecuted to a final determination.(JOE-J) c/m t	
3-12	MIN:	STATUS CONF. Wolfe's co. to file appl. to file ans & ctr/clm-stating nature of clm in 30 days. Parties given 30 days after to resp. Wolfe co. to submit O in 10 days re sch.(JOE-J)b	
3-28	72	ORDER that deft Nick Wolfe d/b/a/ Wolfe Cons Co. is ordered to file an applic/lve to file ans & c/claim, with arguments & authorities in support w/in 30 days, or by 4-10-86, any other pty herein who wishes to resp to the applic & brief shall do so w/in 30 days of the date upon which Wolfe's applic & brief are filed. (JOE-J) c/m t	
4-7	73	ENTRY of appearance of Mary Vance as substitute counsel for deft USA. t	
4-10	74	APPLICATION of defts Nick Wolfe, individually & d/b/a Wolfe Con. Co. & Patricia Wolfe for lve to file answer & c/claim. t	
4-10	--	BRIEF in support of #74.(loose in file) t	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 75-C-355-E
GREAT AMERICAN INS., ET AL		NICK WOLFE d/b/a ET AL	PAGE 6 OF 3 PAGES
DATE	NR.	PROCEEDINGS	
<u>1986</u> 5-12	75	BRIEF of pltf's in opposition to the applic of def't Nick Wolfe d/b/a Wolfe Con. Co. & Patricia Wolfe for leave to file ans & c/claim. t	
5-13	76	APPLICATION of def'ts, Nick Wolfe, individually, d/b/a Wolfe Con. Co. & Patricia Wolfe for lve to file reply brief. (O to J) t	
5-15	77	ORDER that def'ts re: #76 be given to 6-4-86 in which to file reply brief. (JOE-J) c/m mvnt t	
6-4	78	BRIEF in support of #76. t	
9-26	79	ORDER that def'ts Nick Wolfe individually & d/b/a Wolfe Con. & Patricia Wolfe's applic/lve to file ans & c/claim is denied as being un- timely. (JOE-J) c/m mvnt t	
10-2	80	ORDER that O of 9-26-86 is amended to reflect clm's now raised are barred by applicable statute of limitation & by equitable doctrine of laches. (JOE-J) c/m h	
10-10	81	MOTION of def't Wolfe to reconsider applic/leave to file ans & c/claim. (O to file) t	
10-10	82	BRIEF in support of #81. t	
10-24	83	BRIEF of pltf Highlands Ins. Co. & Great Amer. Ins. Co. in opposi- tion to Wolfe's mot/reconsider Court's order denying the Wolfe's applic/leave to file an ans & c/claim. t	
11-7	84	REPLY brief of def'ts in support of mot/reconsider. t	
11-12	85	REQUEST of def'ts for oral argument. (O to file) t	
11-12	86	BRIEF in support of #85. t	
11-14	87	SUPPLEMENT of def'ts Wolfe's to mot/reconsider. t	
11-24	88	RESPONSE of pltf's Highland & Great American to the supplement to def't Wolfe's mot/reconsider. t	
<u>1987</u> 5-1	MO	CASE REFERRED to Mag. for R/R regarding def't's mo/to reconsider appl. for leave to file ans. & counterclaim. ag	
6-10	MO	HEARING SET BEFORE Mag Wolfe on #81 Mot of def't Wolfe to reconsider applic/leave to file ans & c/claim on 7-9-87 at 9:15 A.M. (JSW-MAG) jm ntc/mld	
7-9	MIN:	HEARING HELD BEFORE Mag Wolfe. #81 Mot/Reconsider is taken under advisement. (JSW-MAG) jm	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 75-C-355-E
GREAT AMERICAN INS.,, et al		NICK WOLFEd/b/a/, et al	PAGE ____ OF ____ PAGES
DATE	NR.	PROCEEDINGS	
1987			
8-21	MO	BOTH PARTIES are to adv the ct w/in 5 days of the status of the trial before the Army Board of Contract Appeals sched to be tried 7-31-87 in Washington D.C. Parties are to spec and prov cpy of findings and decisions if a decision was made/(JSW-MAG) jm cpys/mld	
8-25	89	STATUS report of USA. t	
8-28	90	deft mot/reconsid. be granted & deft ans & Ct/clm be fld & pltf 20 days to resp. REPORT & recommendation of Mag. Wolfe/ ag (JSW-MAG) c/m	
8-28	91	STATUS REPORT of deft Nick Wolfe d/b/a Wolfe Construction Co & Patrica Wolfe. ag	
9-11	92	OBJECTION of pltfs to R/R of Mag. t	
9-11	93	BRIEF in support of #92. t	
9-15	94	RESPONSE of deft Nick Wlfe d/b/a Wolfe Construction Co. & Patricia Wolfe to objection of Highlands Insurance Co & Great American Insurance Co to the report & recommendation of the Mag. ag	
9-24	95	REPLY of pltfs to resp of defts Wolfe's to objections of pltf's to R/R of Mag. t	
9-30	96	ENTRY of appearance of James Tilly as counsel for defts Nick Wolfe, Patricia Wolfe & Wolfe Con. Co. t	
12-21	97	ORDER affirming the R/R of Mag.(JOE-J) c/m t	
1988			
1-8	98	ANSWER & c/claim of defts Nick & Patricia Wolfe d/b/a Wolfe Con. Co. to cplts of pltfs. t	
1-28	99	ANSWER Of pltf Highlands to c/claim. t	
1-28	100	ANSWER Of pltf Great Western to c/claim. t	
2-5	101	APPLICATION of pltf for leave to file amended ans to c/claim. (O & amend to J) t	
2-9	102	ORDER that pltf is granted leave to file amended ans to c/claim. (JOE-J) c/m mvnt t	
2-9	103	AMENDED ans of pltf to deft's c/claim. t	
3-9	MO:	ISC set 4-12-88, 10:20 a.m.(JSW-MAG)b n/m	

(OVER)

ELLISON *Phillips*

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>75-C-355</u> -E
GREAT AMERICAN INS. CO., ET AL		NICK WOLFE, ET AL	PAGE <u>10</u> OF <u>5</u> PAGES
DATE	NR.	PROCEEDINGS	
4-12	MIN	ISC BEFORE MAG. WOLFE: JT set 10-17-88 at 9:30 a.m; (ETT: 7 days) PT set 9-13-88 at 1:00 p.m; mot/joinder or amend by 5-13-88; disc cut off 7-15-88; mots due 7-22-88; resps due 8-5-88; req. instructs & V/D due 9-30-88; mots/limine due 9-1-88; trial brfs due 9-30-88; PTO due 9-1-88; settle report due 8-19-88; req. Settle Judge by 8-19-88; xchg witnesses by 6-10-88; xchg exhibs by 10-7-88; Scheduling is subject to the decision of the Army Board of Contract Appeals which is to be issued the Summer of '88. (JSW-MAG) dm	
4-12	104	SCHEDULING ORDER re: 4-12 ISC. (JSW-MAG) dm cpys to ptys at ISC	
5-13	105	APPLICATION Of pltfs for leave to file first amended cplt.(O & amend to file) t	
5-13	106	APPLICATION Of pltfs to file ans to intervening cplt of the IRS. (O & ans to file) t	
6-9	107	WITNESS list of pltfs. t	
6-13	108	ORDER that pltfs are granted leave to file first amended cplt & to file an answer to the intervening cplt of the IRS.(JOE-J) c/m mvnt t	
6-13	109	JOINT answer of pltfs to the cplt in intervention of the IRS. t	
6-13	110	FIRST amended cplt of pltf Highlands Ins. co. t	
6-13	111	FIRST amended cplt of pltf great American Ins. co. t	
6-20	112	WITNESS list of deflt USA (IRS) t	
6-29	113	ANSWER Of deflt Nick Wolfe to first amended cplt of pltf Highlands Ins. Co. & c/claim. t	
6-29	114	ANSWER of deflts Wolfe d/b/a Wolfe Con. Co. to first amended cplt. & c/claim. t	
7-1	115	NOTICE Of deflts to take depo of Raymond Kerr on 7-11-88. t	
7-1	116	NOTICE of deflts to take depo of Ben H. deVries on 7-11-88. t	
7-1	117	NOTICE Of deflts to take depo of George Duke on 7-12-88. t	
7-7	118	MOTION of USA ,Driskell & Thomsen for enlarg. of time w/in which to answer 1st amended compls of Pltf	
7-8	119	MOTION to extend sch.Order deadlines. b (O to DM)	
7-8	120	NOTICE of deposition by pltf Highlands of Patricia Wolfe on 7-15-88, 1:00 p.m. b	
7-8	121	NOTICE of deposition by pltf Highlands of Nick Wolfe on 7-15-88, 9:00 a.m. b	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>75-C-355</u>
GREAT AMERICAN INS. CO., ETAL		NICK WOLFE, ET AL	PAGE <u>11</u> OF <u>6</u> PAGES
DATE	NR.	PROCEEDINGS	
<u>1988</u>			
7-11	122	RESPONSE of defts to pltf's mot/extend scheduling order deadlines. t	
7-12	123	REPLY Of Highlands Ins. Co. to c/claim of defts. t	
7-12	124	RESPONSE Of Highlands Ins. Co. to Wolfe's second request for prod of documents. t	
7-12	125	REPLY Of pltf to c/claim of defts. t	
7-12	126	RESPONSE of pltf to defts' second req for prod of documents. t	
7-14	127	ORDER that defts USA, Driskell, & Thomson are given until 7-15-88 to ans first amended cplt.(HDC for JOE-J) c/m mvnt t	
7-15	128	MOTION Of defts USA, Driskoll, Smith & Thomsen for enlargement of time to submit witness list.(O to J) t	
7-15	129	ANSWER Of defts USA, Driskill, Thomsen to first amended cplt of Great American Ins. Co.	
7-15	130	ANSWER of Corps defts to first amended cplt of Highlands Ins. Co. t	
7-18	131	SUPPLEMENTAL resp to defts Wolfes to mot/extend scheduling order deadlines. t	
7-21	132	ORDER that USA is given until 7-15-88 to submit witness list.(HDC for JOE-J) c/mvnt t	
7-21	133	WITNESS lsit of defts USA, Driskill, Smith, Thomsen. t	
7-28	134	SECOND supplemental resp of defts Wolfes to mot/extend scheduling order deadlines. t	
8-17	135	ORDER that pltfs' applic/extend deadlines is denied.(JOE-J) c/m mvnt t	
8-18	136	SETTLEMENT report of pltfs. t	
8-19	137	SETTLEMENT report of defts Wolfes. t	
8-31	138	REQUEST of defts for additional time to submit agreed PTO.(OtoJ) t	
8-31	139	REQUEST of defts for J/T. t	
8-31	140	BRIEF In support of #139. t	
9-1	141	DESIGNATION of deft of depo transcripts for use as evidence @ trial. t	
9-6	142	ORDER that ptys are given until 9-8-88 to submit agreed PTO.(JOE-J) c/m t	
9-6	143	MOTION of pltfs & deft Oak Forest Bank to dismiss & disclaimer. (O to J) t	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>75-C-355</u>
GREAT AMERICAN INS. CO., ET AL		NICK WOLFE, ET AL	PAGE <u>12</u> OF <u>6</u> PAGES

DATE	NR.	PROCEEDINGS
<u>1988</u> 9-9	144	ORDER of dismissal ENTERED as to deft Oak Forest Bank.(JOE-J) c/m (EOD 9-9-88) t
9-9	145	OBJECTIONS Of defts to request for J/T. t
9-12	146	STATUS report of defts Wolfes. t
9-13	MIN:	PT hrg. A number of issues may be resolved now that Ct has dec. of Army Bd of Contract appeals. JT stricken from 10-17-88. Parties request settl. Judge(Hayes WBN trial 10-3-88 from possibly 3 wks). Revised PTO due 11-22-88. FPT hrg set 11-29-88, 1:00 p.m. If case not settled, new trial date will be set. (IRS will no longer be part of case.(JOE-J)b cpy Barb <i>9/20 Parties will file answer, etc by 11-22 date</i>
9-13	147	NOTICE Of defts of assignment. t
9-15	148	SETT CONF set before Mag. Wagner on 11-18-88 @ 10:00 am. SC stmts to be sub to mag by 11-10-88. (JLW-MAG)j sc ord mld
9-16	149	OBJECTION of pltfs to request for J/T. t
9-23	150	REPLY BRIEF of defts Nick Wolfe & d/b/a Wolfe Construction Co. & Patricia Wolfe in support of request for J/T. ag
10-13	151	APPLICATION for lve to file response. b (O & bf to DM)
11-9	152	<b>ORDER</b> sustaining pltfs' applic. for lve to file resp. (JOE-J) c/m cb
11-9	153	<b>BRIEF</b> in resp. to deft's Reply Brief in Support of Request for J/T. cb
11-10	MO	SETT CONF set before Mag. Wagner on 11-18-88 @ 10:00 is stricken and reset for 11-17-88 @ 1:30 pm. (JLW-MAG)j ntc by phone to Hayes to ntc other ptys
11-20	153	MOTION Of deft Highlands Ins. Co. to rearrange the settle conf. t
11-22	154	APPLICATION Of pltf to reschedule P/T conf.(O to J) t
11-21	155	JOINT request of ptys for additional time to submit agreed PTO, V/D, prop F/F & C/L, suggested J/instr. & trial brifs.(O to J) t
11-17	MIN	SETT CONF held before Mag. Wagner, case did not settle. (JLW-MAG)j memo to judge <i>12/5 MO has new set O</i>
11-23	MO	PT stricken from 11-29-88 & Court enter Sch. order(JOE-J)b n/phone
12-13	156	<b>ORDER</b> that deft. Nick Wolfe's Mo to set case for JT is granted, and that ptys will comply with following sched: JT - 2-21-89, 9:30am, Exhibit Exch. - 12-30-88, Witness Lists - 12-30-88, Mos in Limine - 1-4-89, Resp. 1-11-89, Replies - None, Final PT - 2-3-89, 1:30 pm, Submiss. of PTO - 1-25-89, Voir Dire, Jury INst., T. Briefs, 1-25-89. (JOE-J) cb c/m

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>75-C-355</u> -E
GREAT AMERICAN INS. CO.		NICK WOLFE, ET AL	PAGE <u>13</u> OF <u>7</u> PAGES
DATE	NR.	PROCEEDINGS	
<u>1989</u> 1-4	157	MOTION Of Highlands Ins. Co. in limine. t	
1-4	158	BRIEF in support of #157. t	
1-4	159	MOTION Of deflt Nick Wolfe in limine. t	
1-4	160	BRIEF In support of #159. t	
1-11	161	<b>ANSWER</b> Brief of pltf. Highland Ins. Co. to Deflt, Wolfe's Mo in Limine. cb	
1-11	162	<b>OBJECTION</b> of deflt. Nick Wolfe to Mo in Limine of pltf. Highlands Ins. Co.	
1-11	163	<b>APPENDIX</b> to #162. cb	
1-12	164	<b>REPLY BREIF</b> of deflt. Nick Wolfe in Support of #159. cb	
1-17	MO	ORDER that ptys' mots/limine are referred to Mag Wolfe for R/R. (JOE-J) c/Mag t	
1-18	MO	ORDER that deflt's mot/limine referred to Mag Wolfe is w/drawn. (JOE-J) t	
1-25	165	REQUESTED J/instr of Highlands Ins. Co. t	
1-25	166	SUGGESTED V/D of Highlands Ins. Co. t	
1-25	167	REQUESTED V/D of deflt Nick Wolfe d/b/a Wolfe Con. Co. t	
1-25	168	PROPOSED J/instr of deflt Nick Wolfe d/b/a Wolfe Con. Co. t	
1-25	169	TRIAL brief of deflt Nick Wolfe d/b/a Wolfe Con. Co. t	
1-26	170	JOINT applic/ptys for extension of time to file agreed PTO. (O to J) t <i>filed PTO 2-9</i>	
1-26	171	<b>TRIAL</b> Brief of pltf. Highlands Ins. Co. w/Leave granted to file. (JOE-J) cb	
2-2	MO	ORDER that the P/T is reset for 2-9-89 @ 2:00. (JOE-J) ntc/phone t	
2-9	MIN:	PT HRG. ETT: 4-5 days. Claim of IRS agst Wolfe settled. Court will enter order on mots/limine on 2-10-89.	
2-9	172	HIGHLANDS' suppl. req. jury instrs. b	
2-9	173	PRETRIAL ORDER(JOE-J)b LOOSE IN FILE	
2-14	174	ORDER denying Mos in Limine of pltf & deflt. (JOE-J) c/m cb	
1-25-89 PTO <i>submitted.</i>			

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>75-C-355</u> <del>XP</del>
GREAT AMERICAN INS. CO.		NICK WOLFE, ET AL	PAGE <u>14</u> OF <u>7</u> PAGES
DATE	NR.	PROCEEDINGS	
<u>1989</u> 2-15	MO	ORDER that J/T is stricken & reset on 5-1-89 & that case is transferred to Judge Layn R. Phillips for all purposes. (JOE-J) ptys/ phoned. t	
2-15	175	<b>MOTION</b> of deflt. for lve to Preserve Trial Testimony by Videotaped Deposition. cb	
2-23	176	<b>OPPOSITION</b> of pltf. Highlands to Nick Wolfe's Mo for lve to Preserve Trial Testimony by Videotaped Depo and Mo in Limine. cb	
3-2	177	<b>ORDER</b> re: Scheduling of case. SJT before Mag. Wagner on 4-27-89, 9:30 am. Hrng set 4-28-89, 11:00, JT 5-1-89, 8:30. (LRP-J) c/m cb	
3-10	178	<b>MOTION</b> of Highlands Ins. Co. for S/J on Tortious Interference Cntr-Clm of Nick Wolfe dba Wolfe Const. cb	
3-10	179	<b>BRIEF</b> in Support of #178. cb	
3-10	180	<b>EXHIBITS</b> and Affidavits in Support of #178. (Loose in File) cb	
3-14	181	<b>ORDER</b> that pltf. are granted leave to file 32 page brief in Support of Mo for S/J on Tortious Interference Cntr-Clm of deflt. (LRP-J) c/m cb	
3-20	182	WITNESS list of deflt Nick Wolfe d/b/a Wolfe Con. Co. t	
3-20	183	AFFIDAVIT Of Dr. John M. Bonham. t	
3-23	184	MOTION of deflt Nick Wolfe for permission to file brief in excess of 25 pages. ag (OtoJ) <i>Phillips 3/24</i>	
3-23	185	<b>BRIEF</b> of pltf. Highlands in Support of its Mo for S/J on the Tortious Interference Cntr-Clm of Nick Wolfe. cb	
3-28	186	APPLICATION of deflt Nick Wolfe d/b/a Wolfe Construction co. for leave to use dimonstrative charts. ag (Otoj) <i>Phillips</i>	
3-28	187	BRIEF in support of #186. ag	
3-31	188	<b>ORDER</b> that deflt. Wolfe is permitted to use enlarged or projected demonstrative charts in opening statement, closing argument & the direct exam. of Dr. John M. Bonham. (LRP-J)k c/mvt	
3-31	189	<b>ORDER</b> granting deflt. Wolfe permission to file a brief in oppo. to pltf. Highlands' M/SJ in excess of 25 pgs. (LRP-J)k c/mvt	
3-31	190	<b>REPLY BRIEF</b> of pltf. Highlands Ins. Co. in support of mot/SJ on tortious interference ctrclm of deflt. Wolfe. k	
4-3	191	<b>MOTION/LIMINE</b> of deflt. Wolfe. k	
4-3	192	<b>BRIEF</b> in support of deflt. Wolfe's mot/limine. k	



## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>75-355-P</u>
GREAT AMERICAN INS. CO.		NICK WOLFE, ET AL	PAGE <u>15</u> OF <u>8</u> PAGES
DATE	NR.	PROCEEDINGS	
<u>1989</u>			
4-5	193	BRIEF of deft. Nick Wolfe in Opposition to Mo for S/J of Pltf. Highlands. cb (Loose in File)	
4-5	194	APPENDIX to #193. cb (loose in File)	
4-7	195	CORRECTED Appendix to #193. cb * <i>copy-8</i>	
4-10	196	AFFIDAVIT of Donald E. Spickard. hm	
4-10	197	WITNESS & EXHIBIT list of pltf Highlands. hm	
4-12	MO:	ORDERED, that hearing on 4-28-89, is moved from 11:00 a.m. to 4:00 P.M. (LRP-J) b n/phone & ml	
4-11	198	APPLICATION of deft Nick Wolfe, d/b/a Wolfe Constuction for leave to file suppl.brief in oppos. to mo/SJ of pltf, Highlands' Insurance Co.jc(0 to J) <i>Order in Ben's box - Jerry Dearing 4-13-89; J - Phillips 4-18 in reply</i>	
4-13	199	RESPONSE of Highlands Ins. Co. to Nick Wolfe's application for leave to use demonstrative charts. nm	
4-13	200	BRIEF of Highlands in opposition to Nick Wolfe's 4-3-89 mo/limine. nm	
4-17	--	RETURN on Subpoena; Served R. M. Sutter, 4-14-89. Fees:\$30.00. cb	
4-18	201	SUPPLEMENTAL motion in limine of pltf Highlands Ins. Co. dt	
4-18	202	BRIEF of pltf Highlands in support of #201. dt	
4-18	203	ORDER that motion for S/J of pltf Highlands is denied. (LRP-J) c/m dt	
4-20	--	RETURNS (3) on Subpoenas; Served Larry Dearing on 4-20-89; Served Jerry Pritchard and Harold Chitwood on 4-18-89. Fees: \$30.00 dt	
4-24	204	SUPPLEMENTAL trial brief of pltf Highlands. dt	
4-24	205	VOIR dire suggested by pltf Highlands. dt	
4-24	206	FINAL supplemental requested jury instructions of pltf Highlands. dt	
4-25	MO:	PHONE CONF. set 4-26-89, 1:30 p.m.(LRP-J) b n/phone - ptys to set up call	
4-24	207	SUPPLEMENTAY proposed jury instruct. of the deft Nick Wolfe D/B/A Wolfe cont. Co. ag	
4-24	208	SUPPLEMENTAL trial brief of the deft Nick Wolfe, D/B/A Wolfe Cont. Co. ag	
4-24	209	DESIGNATION of depos. transcript of Ben Devries of deft Nick Wolfe d/b/a Wolfe Cont. Co. & Patricia Wolfe. ag	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 75-C-355-P PAGE 6 OF 9 PAGES
HIGHLANDS INSURANCE CO., et al		NICK WOLFE, et al	
DATE	NR.	PROCEEDINGS	
1989			
4-24	210	DESIGNATION of deflt Nick Wolfe d/b/a Wolfe Const. Co. & Patricia Wolfe of depos. tranxscript of George Duke. ag (BOUND FOLDER LAYING IN FILE)	
4-24	211	DESIGNATION of deflt Nick Wolfe d/b/a/ Wolfe Cont. & Patricia Wolfe of despo. transcript of James Fellers. ag (LAYING IN FILE)	
4-26	MIN	TELEPHONE CONF held before Mag. Wagner re summary JT. Court will allow counsel 50 minutes for initial presentation each for evidence, and 10 minutes at the end for summary closing arguments. Memo from Col. Driskol - allowed; Bill Hill testimony heresay - excluded; Ct will allow evidence of Wolfe's net worth up to time of bankruptcy, not to incl bandruptcy or default of bonds. (JLW-MAG)j not recorded	
4-27	MIN	SUMMARY JT held before Ma. Wagner this date. (JLW-MAG)j	
4-27	MO	SETT CONF held 4-27-89 by Mag. Wagner following summary JT, case settled. (JLW-MAG)j memo to judge	
4-27	212	OBJECTIONS of Highlands Ins.to the proposed testimony(as outlined in affidavit) of Dr. John M. Bonham.jc	
4-27	--	RETURN OF SERVICE of subp.served Raymond C.Kerr 4-21-89.jc	
9-20	213	MOTION of Tilly & Ward for lv of ct to w/draw as counsel for defts Nick Wolfe d/b/a Wolfe Construc. Co. & Patricia Wolfe. (O&DS/LRP) dt	
9-21	214	NOTICE of Tilly & Ward of attys' lien in amt of \$38,082.23. dt	
9-25	215	RESPONSE of Highlands Ins. Co. & Great American Ins Co to #213. (copy&DS/LRP) dt	
9-29	216	ENTRY of appearance of John M. Imel & Frank V. Cooper as atty for defts Nick Wolfe, d/b/a Wolfe Construc Co., Nick Wolfe, indiv, & Patricia Wolfe, indiv. dt	
9-29	217	ORDER granting James W. Tilly & Tilly & Ward lv of ct to w/draw as attys for defts Nick Wolfe d/b/a Wolfe Construc Co. & Patricia Wolfe. (LRP,J) c/m mvt dt	
11-17	218	APPLICATION of Tilly & Ward to assess attys' fees & enter jdgmt foreclosing attys' lien & supporting memo. dt	
12-4	219	RESPONSE of deflt Wolfes' to appl. of former counsel to assess attys' fees. ag	
1990 3-12	220	MOTION of defts (Federal) for order granting lv of ct to deposit funds into registry of ct & brief in support.dt (DS/LRP)	

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. 75-C-355, 75-C-364-P PAGE 17 OF 10 PAGES
GREAT AMERICAN INSUR. CO.		NICK WOLFE, ET AL	Conso
DATE 1990	NR.	PROCEEDINGS	
3-27	221	WOLFE'S RESPONSE to Federal Defts' mot/order granting lve of Court to deposit funds in registry of Court. b dkt/Phillips	
3-27	222	PLTFS' RESPONSE to mot. of Fed. Defts for O/granting lve to deposit funds into the registry of Court.b	
4-3	223	RESPOSNE Of defts Tilly & Ward to mo/of the USA for order granting lv. of ct. to deposit funds into registry of the ct. & appl. for orders determining amount & validity of lien claim & disbursing funds to discharge lien claim. ag	
4-3	224	APPLICATION of defts Driskill, Thompson & USA to set mo/for hrg. ag (OtoJ) <i>Phillips</i>	
4-9	MO	<b>CASE Set HEARING</b> pltf's mo/assess attorney's fees & enter jmn't foreclosing atty's lien and Fed.Deft's mo/deposit funds into Court Registry <u>4-17-90 at 10:00 a.m. before JUDGE PHILLIPS. (LRP-J)jc</u> (ptys phoned O to J Phillips)	
4-13	225	<b>BRIEF</b> of Tilly & Ward in support of their applic for hrg to determine amt & validity of lien claim & order disbursing funds.a	
4-17	MIN	<b>HEARING</b> held on mot/atty fees & lv to deposit funds into registry; Ct grants Fed defts mot/lv to deposit into registry into an int bearing acct; supplemental authority in re juris of atty fee question to be fld by noon on 4/20(cpy delivered to Judge Phillips @ TU college of law); affidavits of Tilly & Ward to be fld by 4/27; defts, Wolfe's affidavits to be fld by 5/4; brfs may be fld by other ptys is necessary; pltf, Highlands to file mot/enforce settlement agreement by 4/20; Wolfe's to resp by 4/27; replies by 5/2( <u>all pldgs dealing w/mot/enforce settlement will be sealed in camera</u> )(LP-J)a Greg Bloxom, CR	
4-17	226	<b>MOTION</b> for order requiring pltf's mot/enforce settlement agreements & all brfs, mots & other pldgs be sealed(O)a	
4-17	227	<b>ORDER</b> granting pltf's to seal pldgs dealing w/mot/enforce settlement agreement(LP-J)a cps/delivered @ conf	
4-17	228	<b>ORDER</b> re deposit of funds into registry of court. (LRP,J) c/USA & jc dt	
4-20	229	<b>SUPPLEMENTAL</b> brief of Tilly & Ward re: juris of district ct to determine atty's lien of Tilly & Ward. dt (c/LRP by Ward) DS/LRP	
4-20	230	<b>MEMORANDUM</b> of defts Nick Wolfe, indiv & d/b/a Wolfe Construct Co. & Pat Wolfe on ct juris for determination of atty fee lien claim. (c/LRP by Imel) DS/LRP	
5-3	231	<b>STIPULATION</b> of dismissal of intervenors, Tilly & Ward o/b/o Tilly & Ward, & defts Nick Wolfe, d/b/a Wolfe Constr, Nick Wolfe indiv. & Patricia Wolfe, and release of attys' lien claim. (O to J)hm	

4/3/90 all ptys phoned re sending copies of all pldgs to LRP dt

**PHILLIPS**

CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <b>75-C-355-P</b>
<b>HIGHLANDS INS. CO., ET AL.</b>		<b>NICK WOLFE, ET AL.</b>	PAGE <b>18</b> OF <b>10</b> PAGES
DATE	NR.	PROCEEDINGS	
<u>1990</u>			
5-11	232	<b>ORDER</b> of dismissal w/prej as to attys' lien claim. (LRP-J) c/m dt ENTERED EOD: 5-14-90	
5-21	233	<b>JOURNAL</b> entry of jdgmt ENTERED; Highlands Ins. Co. is granted jdgmt agnst Nick Wolfe in pric amt of \$1,652,115 & int plus \$323,000.00 & pre-jdgmt interest; Great American Ins. Co. is granted jdgmt agnst Nick Wolfe & Patricia Wolfe, jt & sev, in prin amt of \$95,126.00 & int plus \$15,000.00 & pre-jdgmt interest; counterclaims of Nick Wolfe agnst Highlands Ins. Co. & Great American Ins. Co. are dismissed w/prej; Highlands & Great American are to be pd directly out of funds to be deposited into registry of ct pursuant to order of 4-17-90; contested issue remaining is claim of IRS agnst funds payable to Nick Wolfe, to be resolved ASAP; Ct acknowledges that Tilly atty lien claim is resolved. (LRP-J) c/m dt EOD: 5-22-90	
6-11	234	APPLICATION of defts for order to disburse funds. jc	
6-11	235	ORDER FOR DISBURSEMENT of funds directing Ct. Clk re:\$6,969,315.53 prev.deposited into interest bearing funds.(SEE ORDER FOR DETAILS) (LRP-J)jc(c/ptys)	
6-14	236	AGREED ORDER OF DISBURSEMENT of Wolfe & USA directing Ct. Clerk to disburse \$180,000.00 to US.(LRP-J)jc(c/ptys, Dept Justice)	
6-13	--	Receipt from Atty John Imel purs. to checks issued by Ct's order #235.jc	
6-19	237	RELEASE of assignment by Carloss Morris, W. Carloss Morris,III & Malcom S. Morris.jc	
6-19	238	RELEASE & SATISFACTION of jmn't by Highland Ins. Co.jc	
6-19	239	RELEASE & SATISFACTION of jmn't by Great American Ins. jc	
7-13	240	ORDER of dismissal <u>ENTERED</u> that claim of the USA as Intervenor is dismissed w/prej & ea.ptty to bear their own costs & atty fees.(LRP-J)jc(c/ptys) EOD: 7-16-90	
7-19	241	APPLICATION by defts for Order to disburse funds.(O to j)jc	
7-20	242	ORDER directing Ct. Clk to disburse \$20,000.00 to Nick Wolfe.(LRP-J)jc(c/ptys)	
<u>1991</u>			
2-22	--	DEPOS returned to Mr. Tilly. hm	